

IN THE TEXAS COURT OF CRIMINAL APPEALS
Austin, Texas

MANYIEL PHILMON,
APPELLANT

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§
§

V.

NO. PD-0645-19

THE STATE OF TEXAS,
APPELLEE

FILED
COURT OF CRIMINAL APPEALS
11/13/2019
DEANA WILLIAMSON, CLERK

*ON DISCRETIONARY REVIEW OF APPEAL NO 01-18-00279-CR IN THE
COURT OF APPEALS FOR THE FIRST DISTRICT, HOUSTON, TEXAS.*

**STATE'S FIRST MOTION FOR EXTENSION
OF TIME TO FILE BRIEF ON THE MERITS FOLLOWING THE
GRANTING OF DISCRETIOINARY REVIEW**

TO THE HONORABLE COURT OF APPEALS:

The State requests that the Court grant a first 30-day extension of time for the filing of the State's brief in this case. The following allegations are made in support of this motion:

- I -

This case presents a double Jeopardy issue. The court below is the 213th District Court of Tarrant County, Texas. The style of the case in the trial court is *The State of Texas v. Manyiel Philmon*,

- II -

Appellant was convicted of felony offenses and is incarcerated.

- III -

Appellant filed his brief on the merits on October 14, 2019.

- IV -

The current deadline for filing the State's brief is November 13, 2019.

- V -

The State has requested no previous extensions.

- VI -

This Court has determined the case will be submitted without oral argument. Counsel has been tasked with a number of appellate, research, and other projects and has been unable to complete this instant brief for that reason. Those tasks include:

- (1) Researching and partially completing the State's brief in the instant case.
- (2) Assisting area law enforcement agencies with general policy and legal questions as a liason between those agencies and the District Attorney's Office;
- (3) Representing the State as a Special Prosecutor in *Fraser v. State*, No. PD-0711-17, a murder case in Waco, Texas;
- (4) Drafting the State's Reply brief in *Ephraim v. State*, No. 02-19-00076-CR;
- (5) Drafting the State's Reply brief in *Enrique Anguiano*, No. 02-19-00170;
- (6) Preparing for oral argument in two appeals (presenting in one).

- VII -

WHEREFORE, PREMISES CONSIDERED, the State of Texas prays that this Court grant this Motion on and **extend the time for filing of the State's brief on the merits 30 days to Friday, December 13, 2019. No further extensions will be necessary.**

Respectfully submitted,

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Criminal District Attorney
Tarrant County, Texas

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/s/ David L. Richards
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CERTIFICATE OF SERVICE

A true copy of the State's motion has been e-served on opposing counsel,
Daniel Collins, Daniel@DanielCollinslaw.com, 3000 East loop 820, Fort Worth,
Texas 76112, this the 13th day of November, 2019.

/s/ David L. Richards

DAVID L. RICHARDS

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